

REMARKS

35 U.S.C. § 102. Claim Rejections.

Claims 1-69 are rejected under 35 U.S.C. §102(b) as being anticipated by 5 Pelizzoni (U.S. Patent No. 3,659,572).

The Office Action states that Pelizzoni teaches:

- a valve body comprising at least one conduit defined therethrough;
- 10 a first cylinder having a first aperture corresponding to each of the at least one conduit, wherein the first cylinder is rotatable within the valve body between a first position and a second position; and
- 15 a second cylinder in direct contact with the first cylinder having a second aperture corresponding to each of the at least one conduit, wherein the second cylinder is rotatable within the valve body between the first position and the second position;
- such that the first aperture and the second aperture form a single variable sized opening corresponding to each of the at least one conduit when the first cylinder and the second cylinder move from the first position toward the second position;
- 20 wherein the single variable sized opening defines a cross section by which a passage through the respective conduit is unrestricted (see Figures 3-4).

Applicant disagrees that the claims are anticipated by Pelizzoni.

25 As discussed during interview with the Examiner on 22 September 2005, Applicant is of the opinion that the invention as now claimed is distinguished from Pelizzoni for at least the following reasons:

30 a) Pelizzoni is concerned with a carburetion system that relies on the creation of a venturi for example, as shown in Figure 3.

- b) Pelizzoni does not seek to provide maximum airflow through a conduit as with the claimed invention, but rather seeks to create perturbation of the airflow to achieve atomization of a fuel flow, as shown in Figure 3.
- 5 Applicant's invention concerns the ability to provide an unrestricted flow path through a valve. To achieve this, the claimed invention provides a pair of cylinders that may be rotated to define an aperture that is "in complete communication with the conduit [when] in the open position." Further, as a result of this arrangement, the cross section of the aperture defined by the cylinders 10 allows for the passing of a working fluid or gas, e.g., air, through the aperture without restriction of the air flow through the conduit. This is just the opposite of what must be accomplished by Pelizzoni.
- 15 Applicant has amended the claims for sake of convenience in prosecution, and to clarify features of one or more preferred embodiments. Applicant reserves the right to present the same or similar claims in a related Application.